

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

NOV 14 2019

David J. Bradley, Clerk

United States of America
v.
LUIS ~~XXX~~ ARTURO BAZAN
USC
YOB: 1982

Case No.

11-19-2796-M

Defendant(s)

SEALED

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 02/09/2019 to 07/02/2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(1)

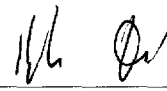
Possession of a firearm or ammunition which has affected interstate or foreign commerce by an individual having been convicted of a felony.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Approved:
Robert Wills, AUSA
11-14-2019



Complainant's signature

Kyle O'Neal, Special Agent - FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

November 14, 2019 4:42 pm 

Judge's signature

City and state:

McAllen, Texas

Peter E. Ormsby, United States Magistrate Judge

Printed name and title

See Attachment "A"

1. On April 12, 2019, Federal Bureau of Investigation (hereinafter referred to as "FBI") investigators executed a federal search warrant on the Facebook account of Luz Arturo Bazan (hereinafter referred to as "BAZAN.") BAZAN is a known member of the Loco 13 street gang organization whose name has appeared on membership rosters prepared by the gang. Additionally, BAZAN regularly appears in photographs posted on his Facebook account with other members of Loco 13.
2. FBI Special Agents observed photographs and videos posted to BAZAN's Facebook profile depicting BAZAN in possession of, and operating firearms. A video uploaded on November 19, 2018 to BAZAN's Facebook profile shows BAZAN firing a functioning pistol at Point Blank Sporting Goods shooting range in Pharr, Texas with ammunition visible on the table in front of him. A video uploaded to BAZAN's profile on February 9, 2019 shows a minor believed to be BAZAN's son firing what appears to be the same firearm from the November 19th video. BAZAN is depicted in subsequent photos holding the firearm and standing next to his son.
3. The photographs from BAZAN's Facebook profile that show BAZAN in possession of a firearm depict what appears to be a Heckler & Koch (H&K) pistol with an external safety. Investigators conducted an interview of the manager of the Point Blank Sporting Goods in Pharr, Texas and were told there was only one firearm they had available for rent manufactured by H&K that also featured an external safety. That firearm was a Heckler & Koch Model VP9, 9mm with serial number 224-226015 (hereinafter the "Target Firearm"). Investigators also observed the range waiver signed by BAZAN.

Point Blank management stated that customers are required to provide an ID prior to renting a firearm.

4. On July 2, 2019, FBI investigators executed a search warrant at BAZAN's residence located at 713 Orendain Avenue in Pharr, Texas. Investigators located narcotics and a box of Federal Ammunition 9mm containing 34 rounds. The brand and type of ammunition were consistent with ammunition available for sale at Point Blank Sporting Goods.
5. On July 11, 2019, the Bureau of Alcohol, Tobacco, and Firearms (hereinafter referred to as "ATF") conducted research to determine whether the Target Firearm moved in interstate and/or foreign commerce. The Target Firearm was determined to have been manufactured in Germany and imported by Heckler & Koch Defense Inc. in Columbus, Georgia. As such, it was ATF's determination that the Target Firearm travelled in interstate or foreign commerce as defined by Title 18, United States Code, Section 921(a)(2). On November 14, 2019, ATF conducted research to determine whether the ammunition moved in interstate and/or foreign commerce. It was determined that the 34 rounds of Federal Ammunition was manufactured outside the State of Texas.
6. On February 21, 2006, BAZAN plead guilty to a second degree felony of Attempted Murder in cause number CR-3487-05-D in the 206th District Court of Hidalgo County, Texas and was sentenced to ten years deferred adjudication. On March 30, 2007, BAZAN's sentence was adjudicated and BAZAN was placed on eight years community supervision.